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February 1, 2022

Via E-File

NATIONAL LABOR RELATIONS BOARD
Office of the Executive Secretary
1015 Half Street, SE
Washington, DC 20570

**RE: International Brotherhood of Electrical Workers, Local Union 43 v. NLRB,
9 F. 4th 63 (2nd Cir. Aug. 12, 2021), vacating and remanding 369 NLRB No.
31 (Aug. 27, 2020), Board Case Nos. 03-CA-184936 and 03-CA-192545**

To Whom It May Concern:

In response to correspondence from the Board's Office of the Executive Secretary inviting the parties in the above referenced cases to file statements of position regarding the issues raised by the remand from the Court of Appeals, ADT LLC submits the following.

Case Nos. 03-CA-184936 and 03-CA-192545 should be dismissed as moot. The operative language in the relevant collective bargaining agreements (i.e., the Albany Agreement, effective from June 11, 2015 through June 10, 2018, and the Syracuse Agreement, effective from June 11, 2016 through June 10, 2019), was revised in the successor agreements negotiated by the parties and has been in effect without incident for at least two years. Accordingly, with the operative contract language no longer in effect and all due overtime paid, there is no open dispute and the matter should be dismissed as moot.

Very truly yours,

Norma Manjarrez

NM:baw

cc: Bryan T. Arnault, Esq., *via email: btarnault@bklawyers.com*
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